

**Queensland Treasury**

Our reference: 2004-16492 SPD  
Your reference: GTP1811  
Assessment manager reference: D/64-2018

29 May 2020

Rockhampton Regional Council  
PO Box 450  
ROCKHAMPTON QLD 4700  
gg@gideontownplanning.com.au

Attention: Gideon Genade

Dear Sir/Madam

**Decision notice—change application**

(Given under section 83 of the *Planning Act 2016*)

Your change application under section 78 of the *Planning Act 2016* for the development approval dated 7 February 2019 was made to the State Assessment and Referral Agency on 24 April 2020.

**Decision for change application**

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Date of decision: 29 May 2020  
Decision details: Make the change and amend existing conditions.

The changes agreed to are:

1. Amend condition 1 of the changed referral agency response as issued 19 December 2018, to include reference to the permitted extent of encroachment into Lot 3 on RP619454 being as shown on the following plans:
  - DA Gallery Level G – Plan prepared by Conrad Gargett Clare Design Brian Hooper Architect dated 19 March 2020, reference CD-AR-A-DA 202, revision Issue D
  - DA Gallery Level 01 – Plan prepared by Conrad Gargett Clare Design Brian Hooper Architect dated 22 May 2020, reference CD-AR-A-DA 203, revision Issue E
  - DA Gallery Level 02 – Plan prepared by Conrad Gargett Clare Design Brian Hooper Architect dated 19 March 2020, reference CD-AR-A-DA 204, revision Issue D.

For further information please contact Kate Lipke, Principal Planning Officer, on 49242916 or via email RockhamptonSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'AW', is positioned above the name and title of the sender.

Anthony Walsh  
Manager Planning

cc      Rockhampton Regional Council, [enquiries@rrc.qld.gov.au](mailto:enquiries@rrc.qld.gov.au)

enc      Referral agency response showing the change  
            Approved plans and specifications  
            Appeal provisions

**Changed referral agency response**

Our reference: 2004-16492 SPD

**Referral agency response—with conditions**(Given under section 56 of the *Planning Act 2016*)

Date of original response: 19 December 2018

Original reference: 1806-5989 SRA

The development application described below was properly referred to the State Assessment and Referral Agency on 27 June 2018.

**Applicant details**

Applicant name: Rockhampton Regional Council

Applicant contact details: PO Box 450  
Rockhampton QLD 4700  
gg@gideontownplanning.com.au

**Location details**

Street address: 220 Quay Street Street, Rockhampton City; 208 Quay Street, Rockhampton City

Real property description: 100SP300269; 3RP619454

Local government area: Rockhampton Regional Council

**Application details**

Development permit: Development Application for Material Change of Use for a Community Use and Operational Work associated with an Advertising Device (Wall Sign)

**Referral triggers**

The development application was referred to the department under the following provisions of the Planning Regulation 2017:

- 10.8.2.3.1.1 Queensland heritage place (on or near a Queensland heritage place)
- 10.8.2.3.2.1 Queensland heritage place (on or near a Queensland heritage place)

**Conditions**

Under section 56(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out in Attachment 1 must be attached to any development approval.

**Reasons for decision to impose conditions**

The department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

**Advice to the applicant**

The department offers advice about the application to the applicant—see Attachment 3.

**Approved plans and specifications**

The department requires that the plans and specifications set out below and enclosed must be attached to any development approval.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
<b>Aspect of development: Material change of use</b>				
DA Existing & Proposed Site Plans <b><u>(as amended in red)</u></b>	Conrad Gargett Clare Design Brian Hooper Architect	19 June 2018	DD-AR-ADA104	C
Fence Pier Relocation	Conrad Gargett Clare Design Brian Hooper Architect	10 December 2018	CD-AR-A-5701	Preliminary A
<b><u>DA Gallery Level G – Plan</u></b>	<b><u>Conrad Gargett Clare Design Brian Hooper Architect</u></b>	<b><u>19 March 2020</u></b>	<b><u>CD-AR-A-DA 202</u></b>	<b><u>Issue D</u></b>
<b><u>DA Gallery Level 01 – Plan</u></b>	<b><u>Conrad Gargett Clare Design Brian Hooper Architect</u></b>	<b><u>22 May 2020</u></b>	<b><u>CD-AR-A-DA 203</u></b>	<b><u>Issue E</u></b>
<b><u>DA Gallery Level 02 – Plan</u></b>	<b><u>Conrad Gargett Clare Design Brian Hooper Architect</u></b>	<b><u>19 March 2020</u></b>	<b><u>CD-AR-A-DA 204</u></b>	<b><u>Issue D</u></b>

enc      Attachment 1—Changed conditions to be imposed  
             Attachment 2—Changed reasons for decision to impose conditions  
             Attachment 3—Changed advice to the applicant  
             Attachment 4—Approved plans and specifications

## Attachment 1—Changed conditions to be imposed

No.	Conditions of development approval	Condition timing
<b>Material change of use for a community use</b>		
Queensland heritage place—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment and Science to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>The development within the boundary of the Queensland heritage place, being Lot 3 on RP619454, must be undertaken generally in accordance with the following plans:</p> <p>(a) DA Existing &amp; Proposed Site Plans prepared by Conrad Gargett Clare Design Brian Hooper Architect dated 19 June 2018, reference DD-AR-A-DA104 and revision C, <b><u>as amended in red.</u></b></p> <p>(b) Fence Pier Relocation plan prepared by Conrad Gargett Clare Design Brian Hooper Architect dated 10 December 2018, reference CD-AR-A-5701 and revision Preliminary A.</p> <p><b><u>(c) DA Gallery Level G – Plan prepared by Conrad Gargett Clare Design Brian Hooper Architect dated 19 March 2020, reference CD-AR-A-DA 202, revision Issue D.</u></b></p> <p><b><u>(d) DA Gallery Level 01 – Plan prepared by Conrad Gargett Clare Design Brian Hooper Architect dated 22 May 2020, reference CD-AR-A-DA 203, revision Issue E.</u></b></p> <p><b><u>(e) DA Gallery Level 02 – Plan prepared by Conrad Gargett Clare Design Brian Hooper Architect dated 19 March 2020, reference CD-AR-A-DA 204, revision Issue D.</u></b></p> <p><b><u>Amended 29 May 2020</u></b></p>	Prior to the commencement of use and to be maintained at all times
2.	A copy of this decision notice is to be retained at the Queensland heritage place.	Until the final inspection certificate for the building work associated with this decision notice is issued
3.	<p>(a) Provide written notice to Environmental Policy and Planning, Department of Environment and Science at <a href="mailto:palm@des.qld.gov.au">palm@des.qld.gov.au</a> of the start of the demolition work associated with this approval.</p> <p>The notice must state the application's reference number: [1806- 5979 SRA].</p> <p>(b) Provide written notice to Environmental Policy and Planning, Department of Environment and Science at <a href="mailto:palm@des.qld.gov.au">palm@des.qld.gov.au</a> of the completion of demolition work associated with this approval.</p> <p>The notice must state the application's reference number: [1806-5979 SRA].</p>	<p>(a) No later than 2 weeks prior to the commencement of the demolition work</p> <p>(b) Within ten working days of completion of the demolition work</p>

**Attachment 2—Changed reasons for decision to impose conditions**

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**The reasons for this decision are:**

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To facilitate the monitoring of the development works for compliance purposes.
- To ensure impact on significant building elements is minimised or mitigated.
- To ensure the development either does not have a detrimental impact on the cultural heritage significance of a state heritage place or minimises and mitigates unavoidable detrimental impacts.

**Material used in the assessment of the application were:**

- **The development application material and the change request material, including submitted plans**
- **Planning Act 2016**
- **Planning Regulation 2017**
- **Native Title assessment**
- **The State Development Assessment Provisions (version 2.2) published by the department**
- **The Development Assessment Rules**
- **SARA DA Mapping system**

***Amended 29 May 2020***

**Attachment 3—Changed advice to the applicant**

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**General advice**

- |    |   |
|----|---|
| 1. | A development permit for any building work on Lot 3 on RP619454 necessary to implement the material change of use is required to be obtained before the development can be carried out, and the permit application must be referred to the Chief Executive administering the <i>Planning Act 2016</i> . |
|----|---|

**Attachment 4—Approved plans and specifications**

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Queensland Treasury

**State Assessment and Referral Agency****Statement of reasons for application 2004-16492 SPD**(Given under section 83 of the *Planning Act 2016*)

Departmental role: Responsible entity

**Applicant details**

Applicant name: Rockhampton Regional Council

Applicant contact details: PO Box 450  
Rockhampton QLD 4700  
gg@gideontownplanning.com.au

**Location details**

Street address: 220 Quay Street, Rockhampton; 208 Quay Street, Rockhampton City

Real property description: 100SP300269; 3RP619454

Local government area: Rockhampton Regional Council

**Development details**

\*\*DevelopmentDetailsTableWithoutBorder\*\*

**Assessment matters**

Aspect of development requiring code assessment	Applicable codes
1. Material change of use	State Code 14: Queensland heritage (version 2.2)

**Response**

Nature of approval	Response details	Date of response
Development permit	Makes the changes and amend existing conditions	29 May 2020

**Reasons for the department's decision**

The reasons for this decision are:


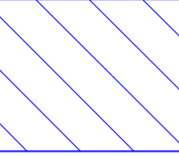
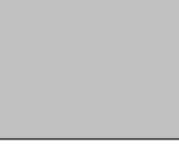

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application and subsequent change request
- To facilitate the monitoring of the development works for compliance purposes
- To ensure impact on significant building elements is minimised or mitigated
- To ensure the development of the new Rockhampton Art Gallery either does not have a detrimental impact on the cultural heritage significance of a state heritage place, being the Rockhampton Customs House, or minimises and mitigates unavoidable detrimental impacts.

Material used in the assessment of the application were:

Fitzroy/Central regional office  
Level 2, 209 Bolsover Street,  
Rockhampton  
PO Box 113, Rockhampton QLD 4700

- The development application material and the change application material, including submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- Native Title assessment
- The State Development Assessment Provisions published by the department
- The Development Assessment Rules
- SARA DA Mapping system

LEGEND

-  SITE BOUNDARY
-  PROPOSED NEW DEVELOPMENT
-  EXISTING BUILDING TO BE RETAINED
-  BUILDING ENTRY LOCATION

C	DA Lodgement	19/06/18	DO
B	90% DA	08/06/18	
A	PRELIMINARY ISSUE	22/05/18	
REV	DESCRIPTION	DATE	APPD



Client  
**Rockhampton Regional Council**

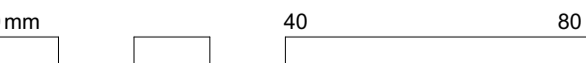
Project  
**Quay St Cultural Precinct Development**

Drawing  
**DA Existing & Proposed Site Plans**

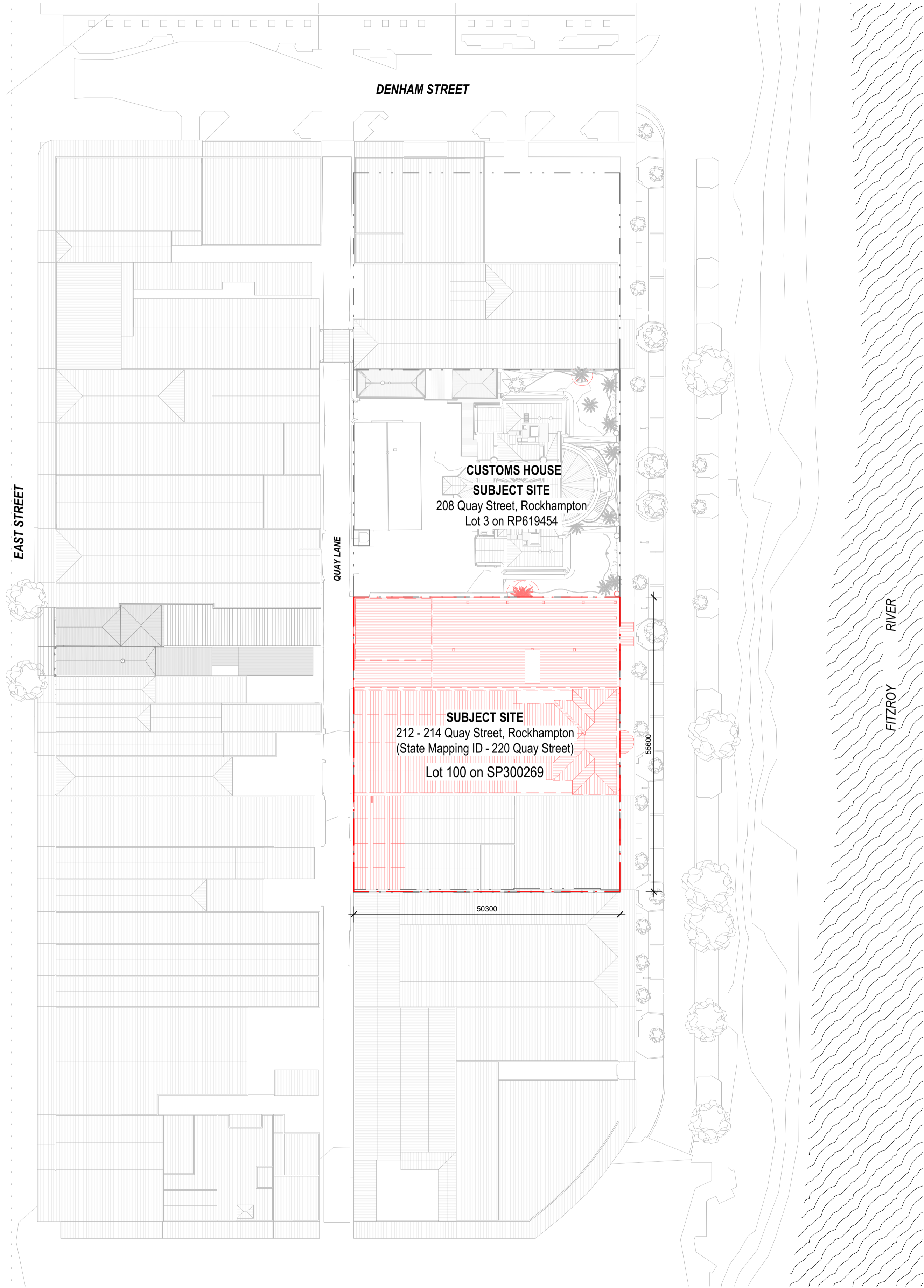
A1 Scale **As indicated**  
Project **17090**  
Issue **C**

Drawing **DD - AR-A-DA104**

Details  
Copyright Conrad Gargett. ACN 010 350 633 ABN 49 325 21 350.  
Do not scale this drawing and verify all dimensions and levels on site.  
Nominated Architect : Lawrence Toalido NSW Reg. 10255.

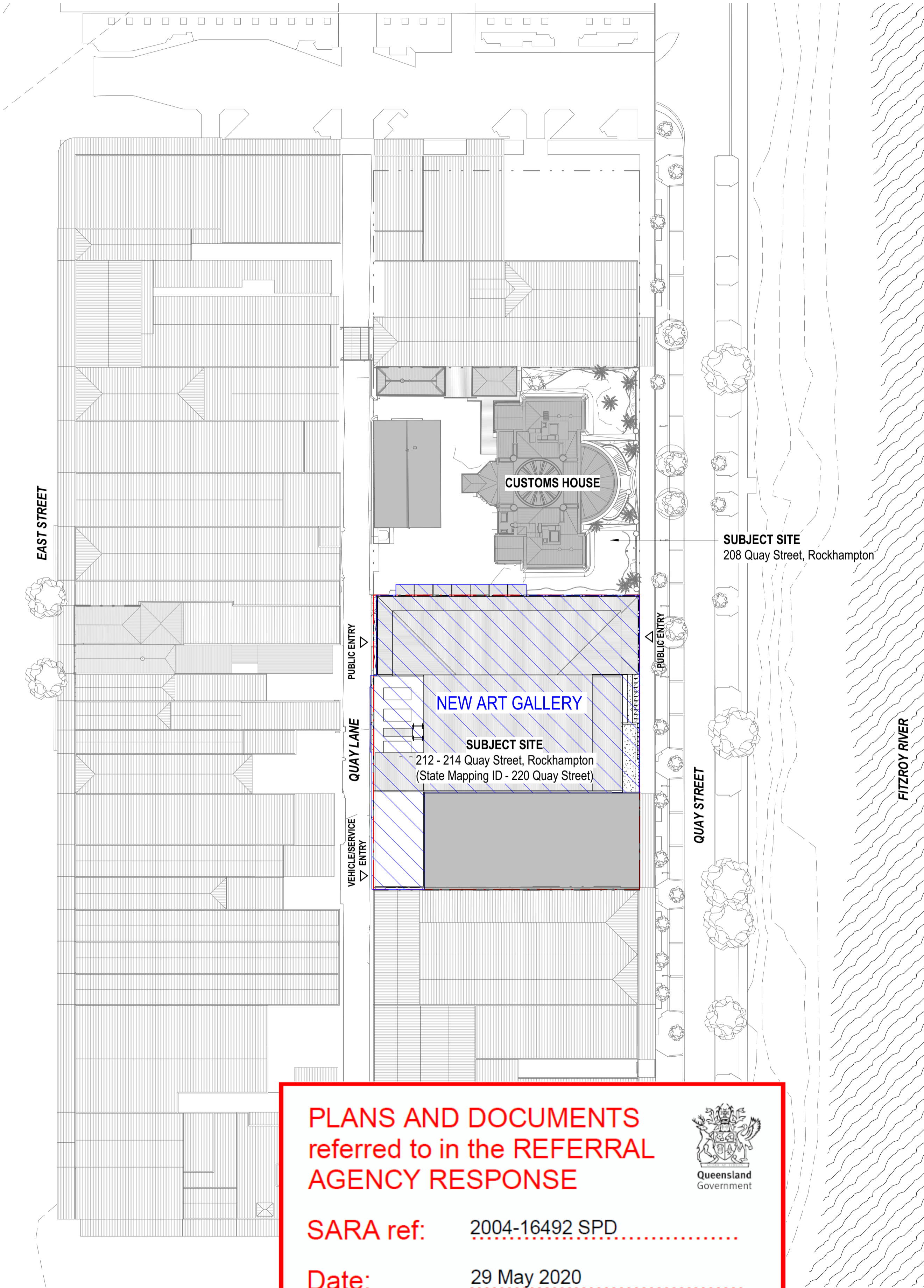


PRELIMINARY



1 Existing and Demolition Site Plan

1:500



2 Proposed Site Plan

1:500

Amended in red by SARA on  
29 May 2020

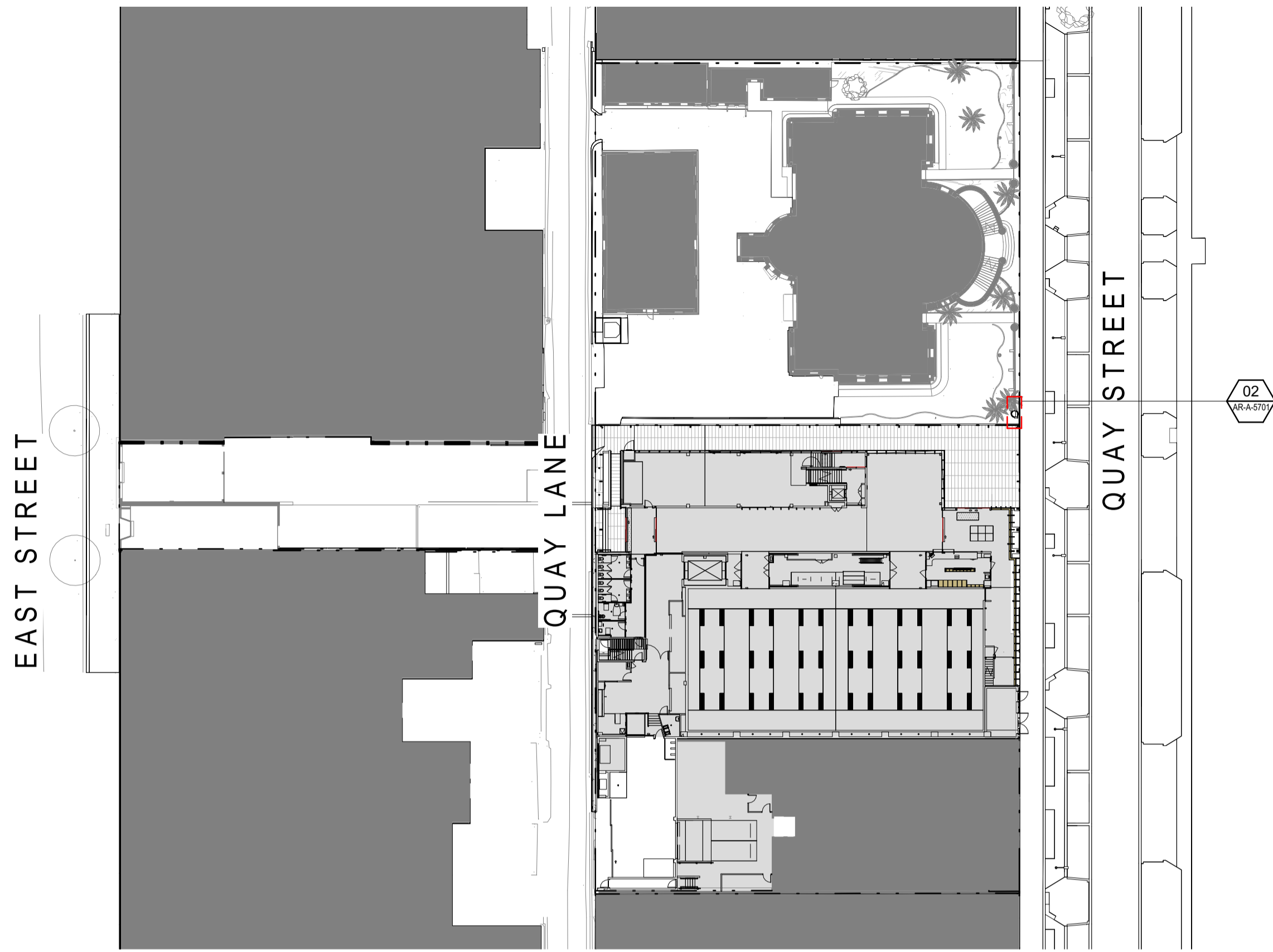
PLANS AND DOCUMENTS  
referred to in the REFERRAL  
AGENCY RESPONSE



SARA ref: 2004-16492 SPD

Date: 29 May 2020

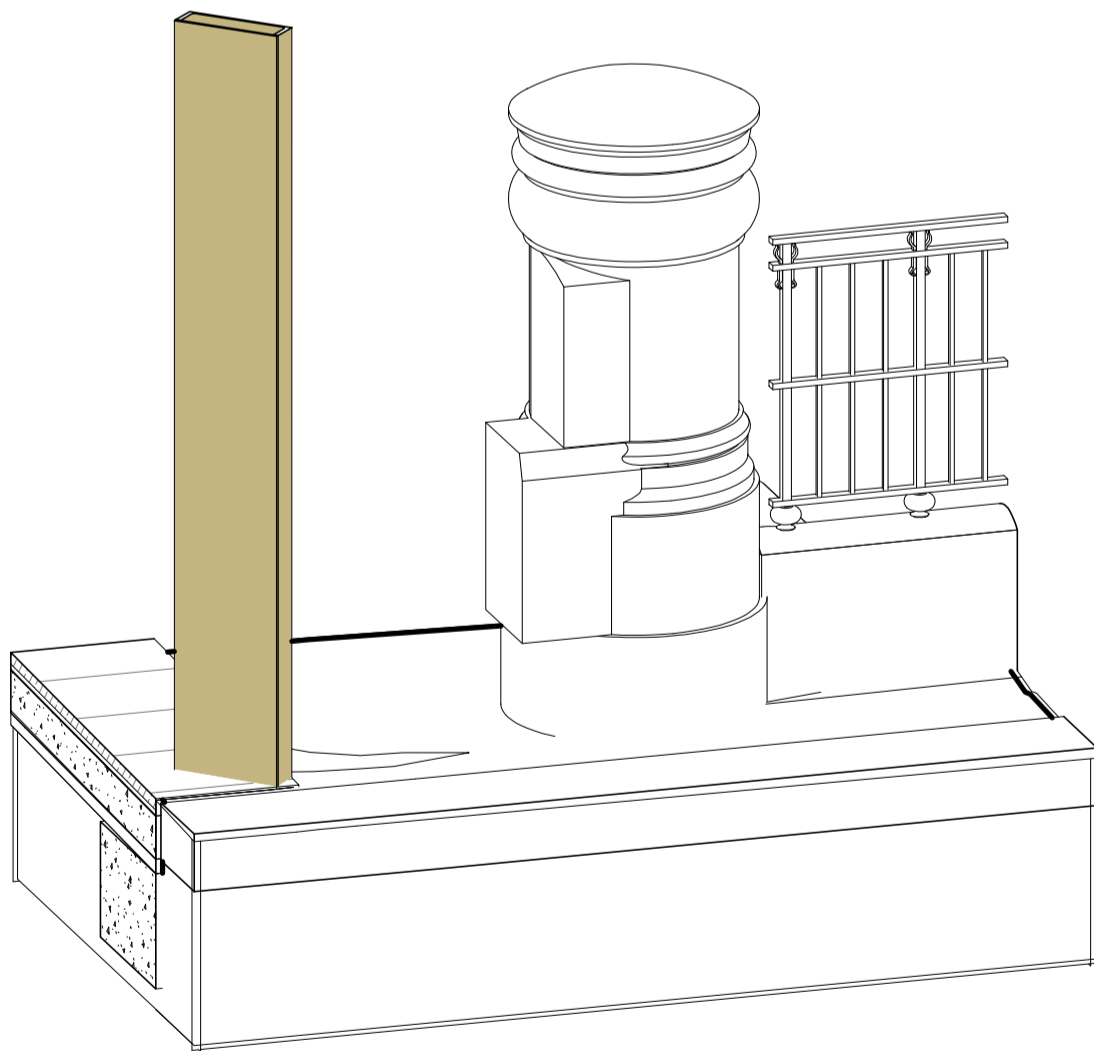
Subject to the detail shown in Approved Plans 'DA Gallery Level G – Plan: CD-AR-A-DA 202', revision Issue D, 'DA Gallery Level 01 – Plan: CD-AR-A-DA 203', revision Issue E and 'DA Gallery Level 02 – Plan: CD-AR-A-DA 204', revision Issue D with respect to the extent of encroachment of the New Art Gallery into Lot 3 on RP619454.



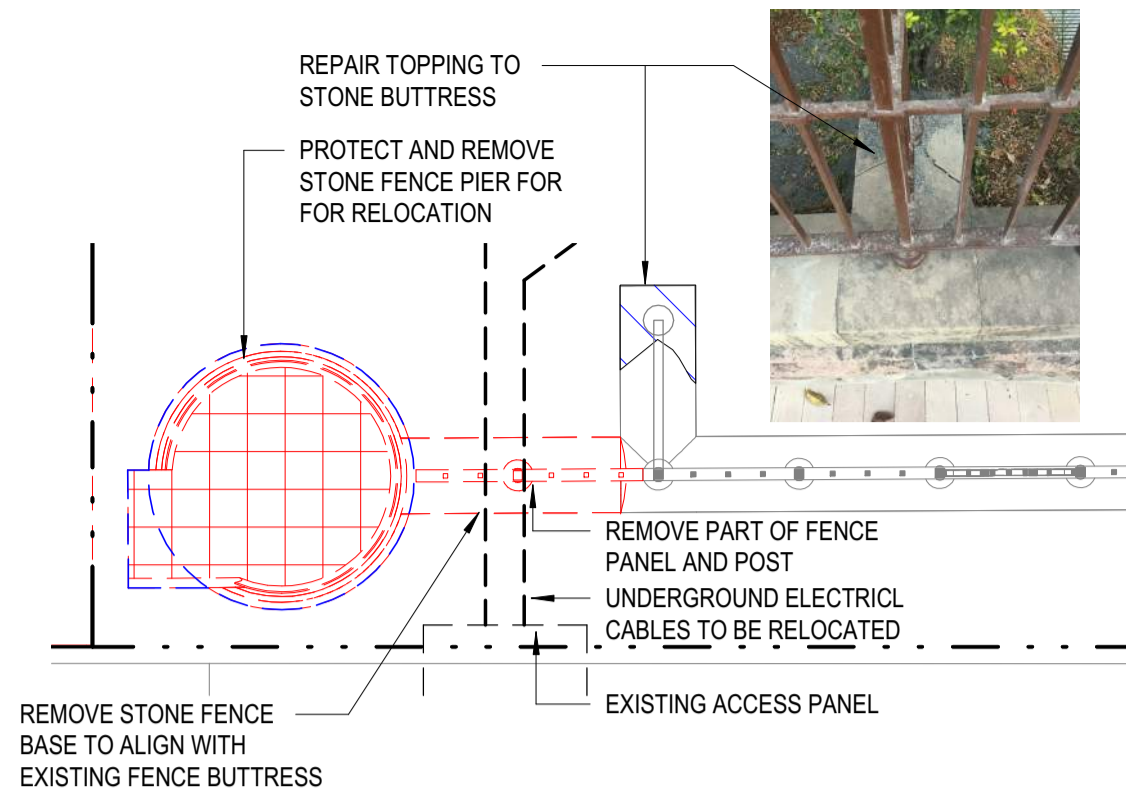
**A** Fence Pier Relocation - Key Plan  
1:500



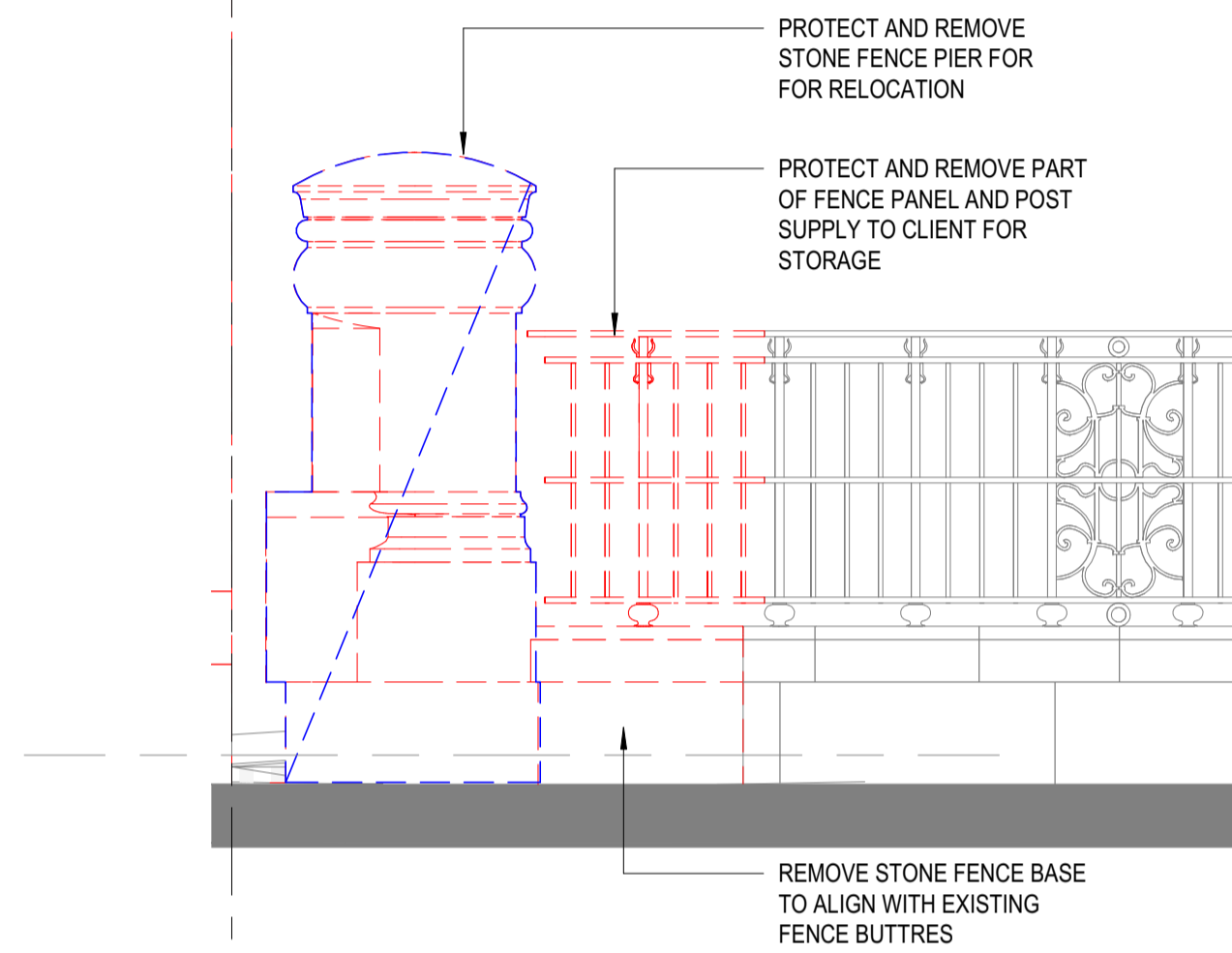
EXISTING STONE FENCE PIER  
TO BE RELOCATED



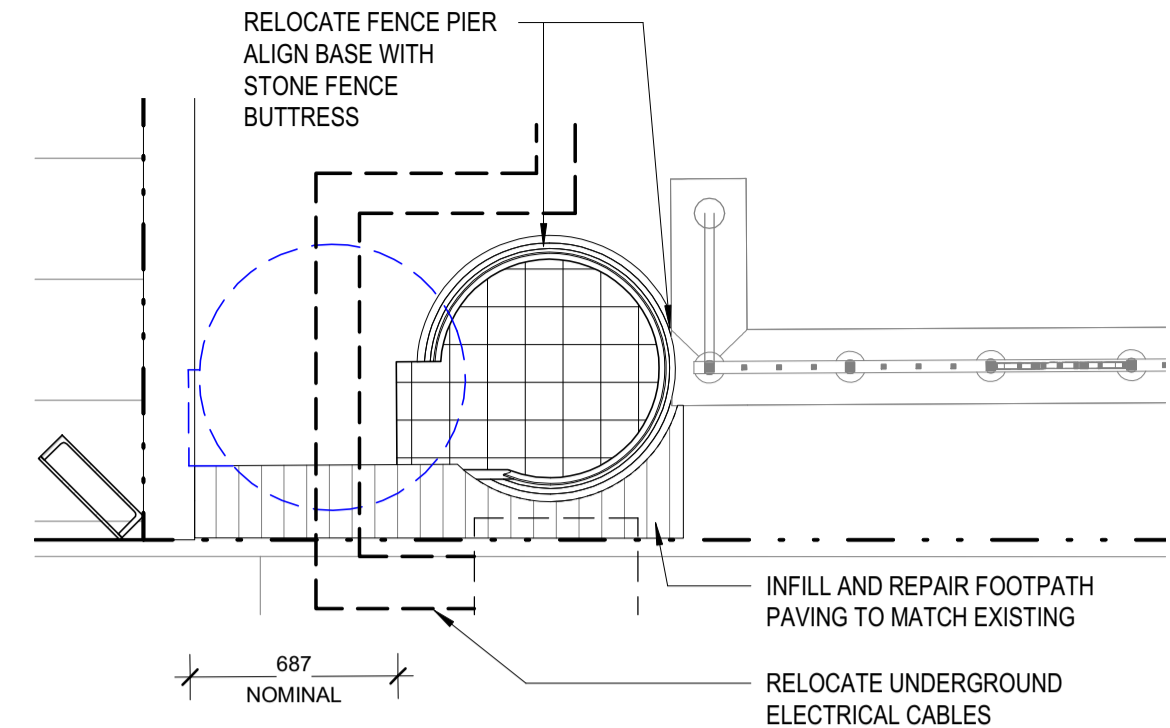
Fence Pier - Proposed Location



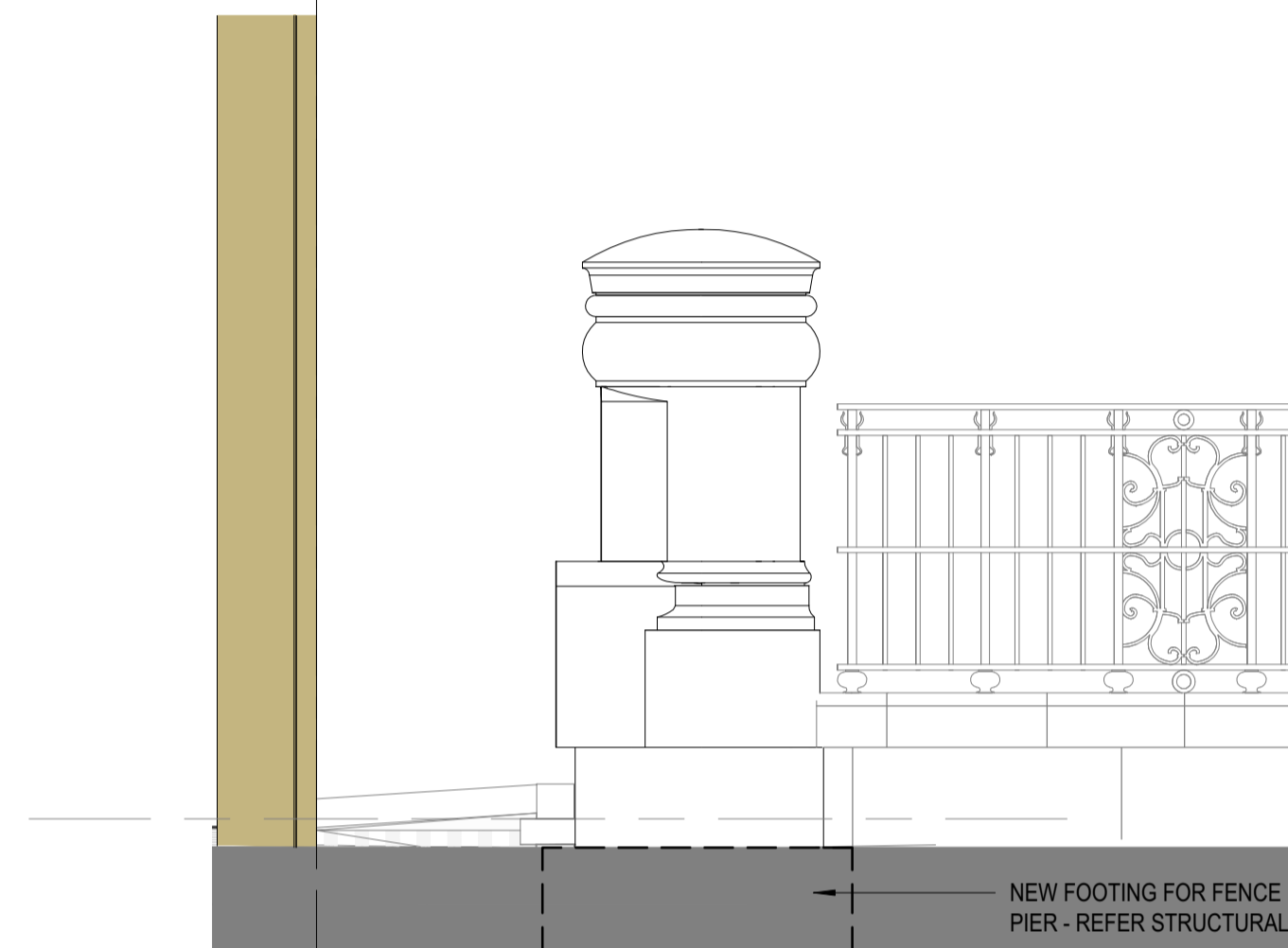
**01** Fence Pier - Existing/Demo Plan  
1:25



**03** Fence Pier - Elevation Existing/Demo  
1:25



**02** Fence Pier - Proposed  
1:25



**04** Fence Pier - Elevation Proposed  
1:25

PLANS AND DOCUMENTS  
referred to in the REFERRAL  
AGENCY RESPONSE



SARA ref: 2004-16492 SPD

Date: 29 May 2020

REV	DESCRIPTION	DATE	APPD
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Client  
**Rockhampton Regional Council**

Project  
**Quay St Cultural Precinct Development - Art Gallery**

Drawing  
**Fence Pier Relocation**

A1 ScaleAs indicated  
Project 17090  
Issue A

Drawing CD - AR-A-5701

Details  
Copyright Conrad Gargett. ACN 010 350 633 ABN 49 325 21 350.  
Do not scale this drawing and verify all dimensions and levels on site.  
Nominated Architect: Lawrence Toaldo NSW Reg. 10255.  
200 0 200 400 600 800 1000  
SCALE 1:25 @ A1 mm

PRELIMINARY

**SUBJECT SITE**  
212 - 214 Quay Street,  
Rockhampton (State Mapping  
ID - 220 Quay Street)

D	DA Amendment	19/03/20	LB
C	DA Lodgement	19/06/18	DO
B	90% DA	08/06/18	
A	PRELIMINARY ISSUE	22/05/18	
REV	DESCRIPTION	DATE	APPD



Client  
**Rockhampton Regional  
Council**

Project  
**Quay St Cultural Precinct  
Development - Art Gallery**

Drawing  
**DA Gallery Level G - Plan**

A1 Scale 1 : 100  
Project 17090  
Issue D

Drawing CD - AR-A-DA 202

Details  
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Do not scale this drawing and verify all dimensions and levels on site.  
Nominated Architect : Lawrence Toalido NSW Reg. 10255.

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SCALE 1:1 @ A1 mm

CONSTRUCTION

QUAY STREET

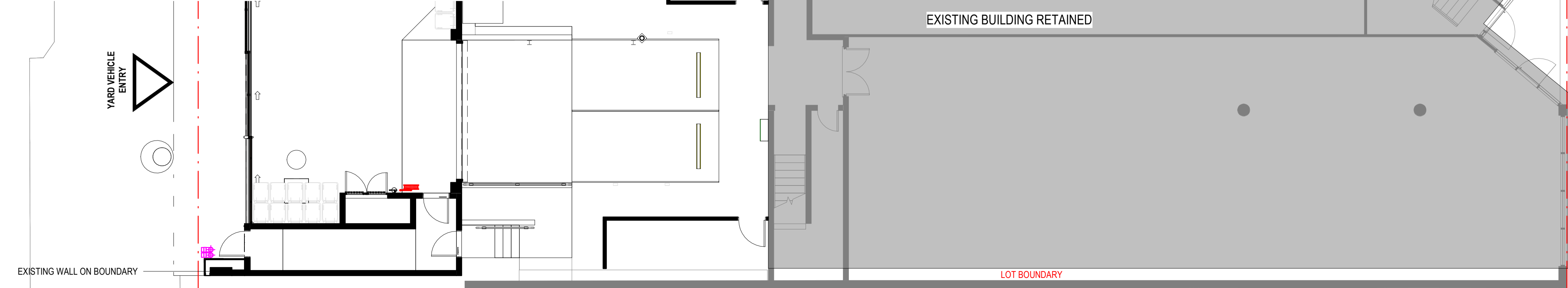
QUAY LANE

PLANS AND DOCUMENTS  
referred to in the REFERRAL  
AGENCY RESPONSE



SARA ref: 2004-16492 SPD

Date: 29 May 2020



**SUBJECT SITE**  
212 - 214 Quay Street,  
Rockhampton (State Mapping  
ID - 220 Quay Street)

E	DA Amendment Dimension Clarification	22/05/20	LB
D	DA Amendment	19/03/20	LB
C	DA Lodgement	19/06/18	DO
B	90% DA	08/06/18	
A	PRELIMINARY ISSUE	22/05/18	
REV	DESCRIPTION	DATE	APPD



Client  
**Rockhampton Regional Council**

Project  
**Quay St Cultural Precinct Development - Art Gallery**

Drawing  
**DA Gallery Level 01 - Plan**

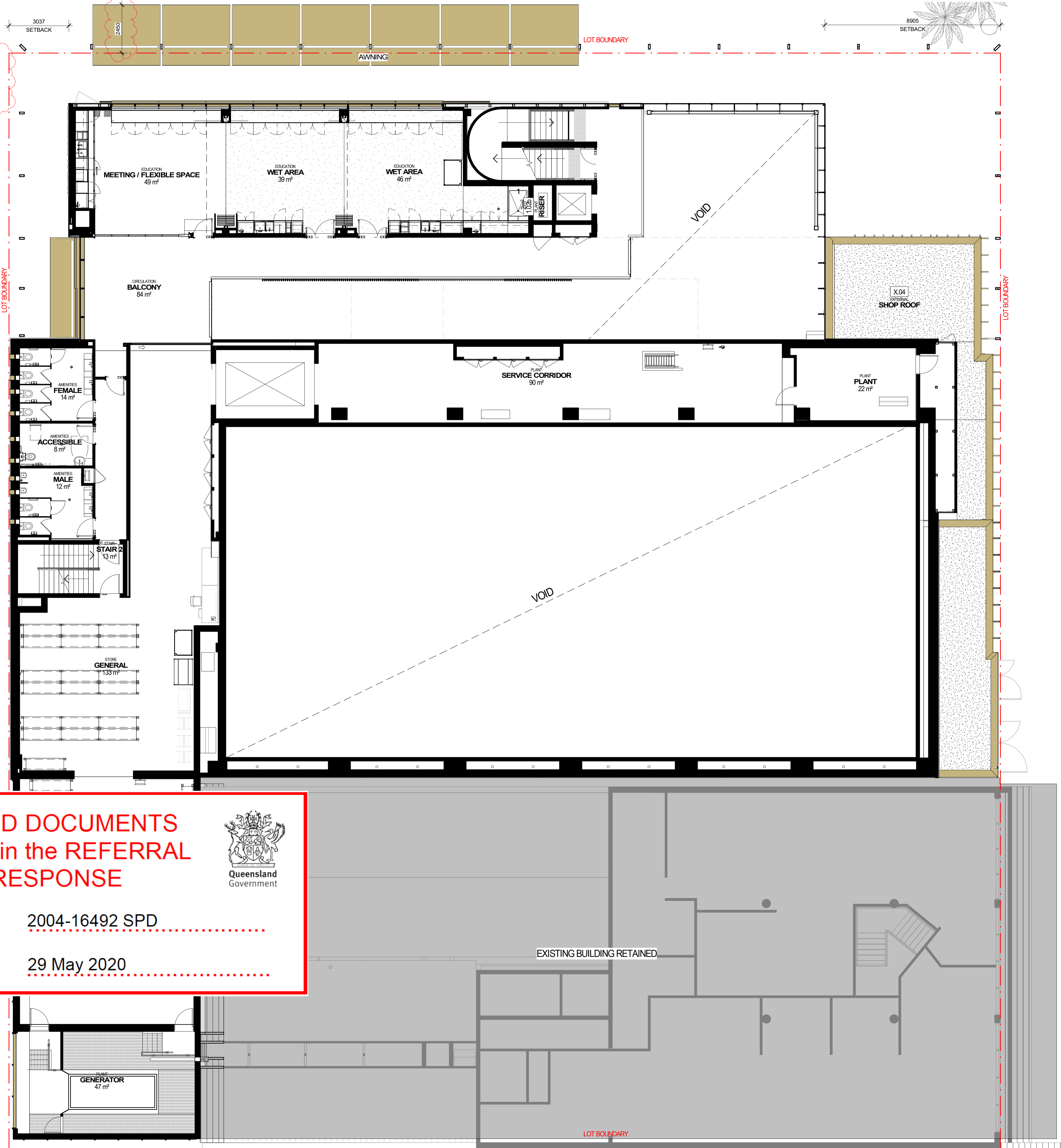
A1 Scale 1 : 100  
Project 17090  
Issue E

Drawing CD - AR-A-DA 203

Details  
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Do not scale this drawing and verify all dimensions and levels on site.  
Nominated Architect : Lawrence Toskido NSW Reg. 10255.

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SCALE 1:1 @ A1 mm

QUAY STREET

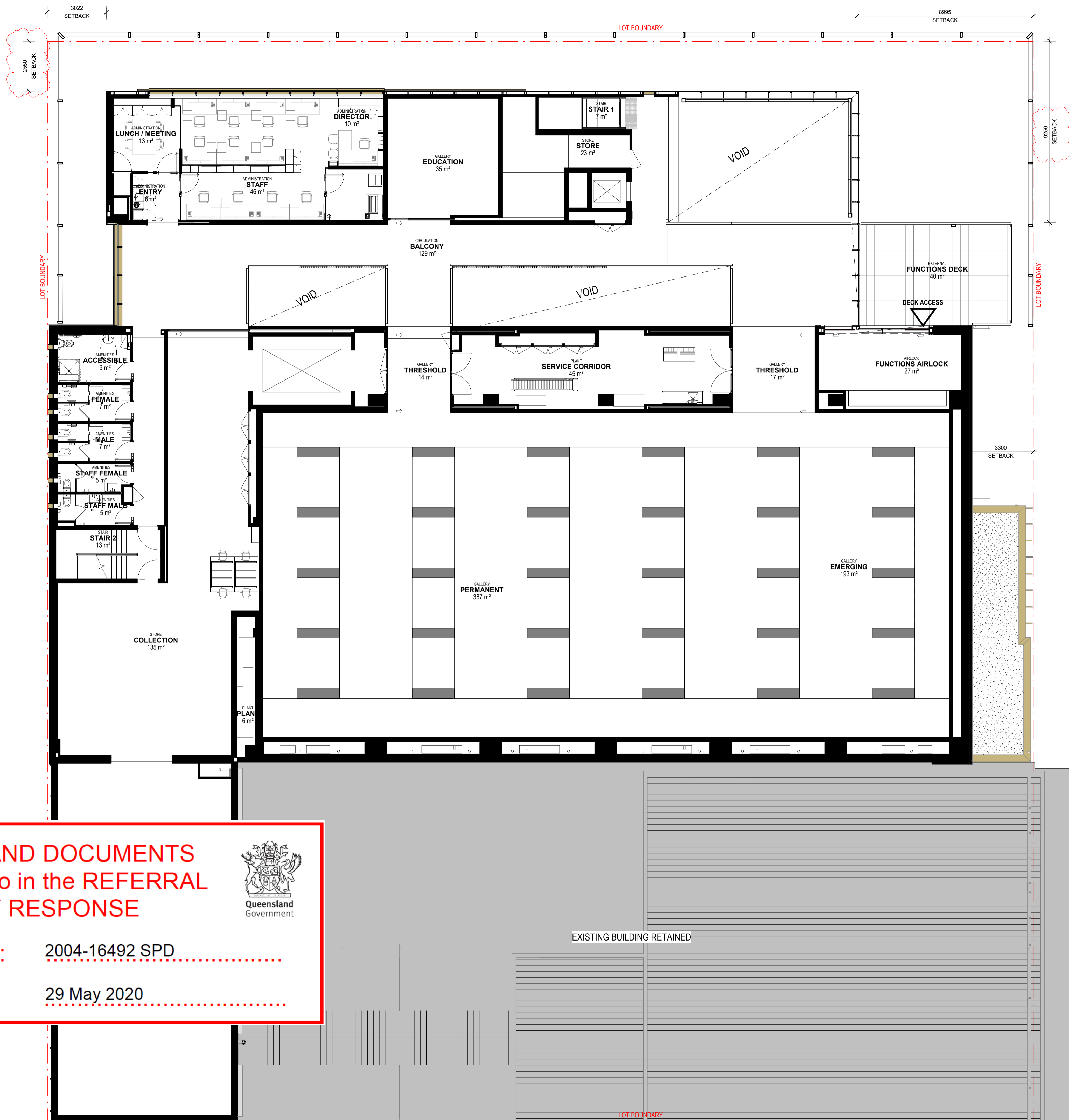


PLANS AND DOCUMENTS  
referred to in the REFERRAL  
AGENCY RESPONSE



SARA ref: 2004-16492 SPD

Date: 29 May 2020



**PLANS AND DOCUMENTS**  
referred to in the REFERRAL  
AGENCY RESPONSE



SARA ref: 2004-16492 SPD

Date: 29 May 2020

**SUBJECT SITE**  
212 - 214 Quay Street,  
Rockhampton (State Mapping  
ID - 220 Quay Street)

D	DA Amendment	19/03/20	LB
C	DA Lodgement	19/06/18	DC
B	90% DA	08/06/18	
A	PRELIMINARY ISSUE	22/05/18	
REV	DESCRIPTION	DATE	APP



Client

**Rockhampton Regional Council**

Project

## Quay St Cultural Precinct Development - Art Gallery

## Site Details

**212 - 214 Quay Street,  
Rockhampton (State  
Mapping ID - 220 Quay  
Street)**

### Drawing

**DA Gallery Level 02 - Plan**

**PRELIMINARY**

A1 Scale 1 : 100

Project 17090

Issue D

Drawing CD - AR-A-DA 204

## Details

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Nominated Architect : Lawrence Toaldo NSW Reg. 10255.

